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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,213	01/20/2006	Jean-Pierre Pages	15294NP	9794

293 7590 04/20/2007
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EXAMINER

MUROMOTO JR, ROBERT H

ART UNIT	PAPER NUMBER
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3765

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/565,213	Applicant(s) PAGES ET AL.	
	Examiner Robert H. Muromoto, Jr.	Art Unit 3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/20/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

The abstract of the disclosure is objected to because the abstract recites "means" and "said" both terms of legalese not proper for US patent practice. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-13 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Baumann US patent 5,297,589.

Baumann discloses a heddle frame (inherently used on weaving looms as recited in claim 17) having an opposing pair of lateral supports ('posts') 1 and 1', each having a horizontally extending projection ('protrusion') 2 that when assembled extends into a cavity ('recess') 3 of the frame stave 4 ('cross-member'). Although not shown heddle frames inherently use two frame staves ('cross-members') as admitted by applicant in the instant Background of Invention.

Reference numeral 8 in figure1b clearly shows a heald bar.

Insert 11 in figures corresponds to the claimed 'intermediate tubular fixing element'.

Figures clearly show protrusion 2 inserted into the cavity 3 of the frame stave as claimed.

Figures 3a and 4a clearly show how screw 5 mutually retains insert 11 and frame stave 4 as claimed.

Baumann clearly discloses the use of spot welding, adhesives, rivets or screws to make all secure connections as recited multiple times in the claims.

Bauman also discloses the use of steel as claimed.

Figures clearly show insert 11 inserted into an "indentation" of the frame stave at the two front faces as claimed.

Figure 3b shows the insert 11 having a wall 19 that is larger in dimension than the wall of the frame stave as recited in claim 5.

Sidewalls of the insert 11 and frame stave 4 clearly do not open and border the recess as recited in claim 6. The 'forming' limitation is inherently performed, as all structure is present as claimed.

Insert 11 clearly forms a hole for receiving the projection 2 of the lateral supports 1, 1a. And member 12 forms a wall that has a hole 16 for access to the hole for receiving the projection as recited in claim 7.

Member 13 corresponds to the 'base' recited in claim 8.

Figures 4a and 4b clearly show the walls of insert 11 forming a rectangle as recited in claim 9.

The walls of the insert 11 as shown in figures 4a and 4b including the screw 5 clearly disclose the limitations in claims 11, 12 and 13. As Baumann has disclosed all connections between members are spot-welded or adhesively bonded as claimed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baumann in view of Fazez 5,477,889.

Although Baumann teaches essentially all of the limitations of the claimed invention, Baumann does not teach the limitations of claims 14-16.

However, '889 does teach a heddle frame endbrace assembly that eliminates substantial bowing and distortion of the endbrace of a heddle frame system.

Figures 4 and 5 show a notched portion 34 ('bent limb') of a member 32 ('resilient plate') and extension 40 that appears to provide all recited functionality of claims 14-16

'889 teaches the use of this arrangement to provide a secure connection while still allowing enough flexibility to allow the clamp block 32 to have a degree of vertical movement further aiding in the elimination of substantial bowing and distortion of the endbrace of a heddle connection system.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to use the endbrace for heddles as taught by Fasse in conjunction with the

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heddle frame taught by Baumann to aid in the elimination of substantial bowing and distortion of the endbrace of a heddle connection system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert H. Muromoto, Jr. whose telephone number is 571-272-4991. The examiner can normally be reached on 8-530, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Welch can be reached on 571-272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Bobby Muromoto
4/17/2007

A handwritten signature in black ink, appearing to be 'Bobby Muromoto', with a stylized, wavy line for the last name.